

1
2
3
4
5
6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE EASTERN DISTRICT OF CALIFORNIA

8 GARY ERVIN,

9 Plaintiff,

10 vs.

CIV S-05-0269 LKK GGH PS

11 JUDICIAL COUNCIL OF
12 CALIFORNIA, et al.,

13 Defendants.

ORDER

14 _____ /
15 Defendants' April 20, 2006 motion to dismiss presently is calendared for hearing
16 on May 25, 2006. Having reviewed the record, the court has determined that oral argument
17 would not be of material assistance in determining the pending motion. Accordingly, the court
18 will not entertain oral argument, and will determine the motion on the record, including the
19 briefing in support of and in opposition to the pending motion. See E.D. Cal. L.R. 78-230(h).

20 Accordingly, IT IS ORDERED that:

21 1. The May 25, 2006 hearing on the motion to dismiss, filed April 20, 2006, is
22 vacated; and

23 2. The motion is submitted on the record.

24 DATED: 5/19/06

25 /s/ Gregory G. Hollows

26 GREGORY G. HOLLOWS
U. S. MAGISTRATE JUDGE

GGH:076:Ervin0269.mtd.wpd